



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the First day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.13566 of 2018

MANIKANDAN

... PETITIONER/ACCUSED No.1

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
PUDUKKOTTAI.
CR NO.19/2017

... RESPONDENT/COMPLAINANT

For Petitioner : MR.S.KANAGARAJAN, Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police for the offences punishable under Section 120-B, 406, 409, 419, 420, 465, 468 and 471 IPC in Crime No.19 of 2017, seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent Police.

3.The petitioner was earlier arrested and he was granted bail by the learned Judicial Magistrate, Alangudi and to cancel the same, the *de facto* complaint filed criminal original petition before this Court. When the matter was taken up for hearing, the petitioner had undertaken that he would deposit a sum of Rs.10 lakhs on or before 19.01.2018. Since, the said condition was not complied with, a petition in Crl.M.P(MD)No.4290 of 2018, seeking to cancel the bail, was moved before this Court. This Court, by an order dated 05.07.2018, allowed the said criminal miscellaneous petition. Therefore, the petitioner now faced the prospect of re-arrest.

4.The learned counsel appearing for the petitioner, on instructions, undertakes that a sum of Rs.5,00,000/- will be deposited to the credit of Crime No.19 of 2017 before the learned Jurisdictional Magistrate.



5. Since the petitioner has not filed any application seeking modification of the earlier order passed in the petition moved by the IDBI Bank or extension of time to deposit the amount, this Court cancelled the earlier order granting bail to the petitioner. Technically, this petition is not maintainable, however, taking into account in the interest of justice, the relief is granted to the petitioner on the above terms.

6. Recording the undertaking given by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Alangudi and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
01/08/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, ALANGUDI, PUDUKKOTTAI DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, PUDUKKOTTAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.S.KANAGARAJAN, Advocate SR.No.14926

ORDER IN
CRL OP(MD) No.13566 of 2018
Date : 01/08/2018